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Z-06-121

AN ORDINANCE BY Councilmembers Jim Maddox, Ivory Lee Young, Carla Smith, Joyce Sheperd, Cleta Winslow, Mary Norwood, Ceasar C. Mitchell and H. Lamar Willis

As Substituted by Zoning Committee

AN ORDINANCE TO AMEND THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA, AS AMENDED, SO AS TO CREATE A NEW CHAPTER TO BE ENTITLED CHAPTER 36 BELTLINE OVERLAY DISTRICT; TO ESTABLISH OVERLAY REGULATIONS FOR SAID DISTRICT; TO ENACT, BY REFERENCE AND INCORPORATION, A MAP ESTABLISHING THE BOUNDARIES OF SAID DISTRICT; AND TO DESIGNATE AND INCLUDE IN THE OVERLAY CERTAIN PROPERTIES, EXCLUSIVE OF PROPERTY ZONED R-1 (SINGLE-FAMILY RESIDENTIAL) THROUGH R-5 (SINGLE-FAMILY RESIDENTIAL) THAT ARE RECOGNIZED LOTS OF RECORD AT THE ENACTMENT OF THIS PART, SO AS TO SUPPORT THE FUTURE IMPLEMENTATION OF THE ATLANTA BELTLINE; AND FOR OTHER PURPOSES.

WHEREAS, the BeltLine is a transportation corridor that has the potential to transform the City of Atlanta and to attract and organize future growth in the region around parks, trails, transit and economic development located in the core of the City; and

WHEREAS, an optimal implementation of the BeltLine concept combines green space, trails, transit, and new development along 22 miles of historic rail segments that encircle the urban core; and

WHEREAS, the implementation of the BeltLine concept would revive certain areas of the City dominated by an industrial landscape and become a unique and innovative solution to the City's scattered pattern of growth by providing a connected network of parks, green spaces, trails and pedestrian-friendly streets to link existing neighborhoods previously severed by rail and industry, in addition to providing a 22-mile transit loop to reduce dependence on the automobile; and

WHEREAS, the enhancement of single-family neighborhoods, the preservation of cultural, historic and natural resources and the strengthening of the downtown urban core and the encouragement of pedestrian, bicycle and mass transit are among the current policy goals which are expressed in Urban Design Element of the CDP; and

WHEREAS, new residential and commercial development along the BeltLine should promote the transit accessibility, neighborhood and pedestrian connectivity; and

WHEREAS, in order to establish a framework for the implementation of development around the BeltLine in a manner to support BeltLine planning concepts.

**NOW THEREFORE THE CITY COUNCIL OF THE CITY OF ATLANTA,
GEORGIA, HEREBY ORDAINS AS FOLLOWS:**

Section 1: That the 1982 Zoning Ordinance of the City of Atlanta is hereby amended by adding a new **Chapter 36, BeltLine Overlay District Regulations**, which shall read as “Attachment A”.

Section 2: That the 1982 Zoning Ordinance Map of the City of Atlanta is hereby amended as shown on “Attachment B”.

Section 3: That all ordinances or parts of ordinances in conflict with this ordinance shall be waived to the extent of the conflict.

Chapter 36. BeltLine Overlay District Regulations

Sec. 16-36.001. Scope of regulations.

The scope of the regulations for the BeltLine Overlay (BLO) District is as follows:

1. The existing zoning map and all regulations governing all properties within the BeltLine Overlay District shall remain in full force and effect. The regulations contained within this chapter shall be overlaid upon, and shall be imposed in addition to, said existing zoning regulations. Except where it is otherwise explicitly provided, whenever the following overlay regulations are at variance with said existing zoning regulations, the following regulations of this chapter shall apply.
2. Historic guidelines, ordinances and regulations shall govern the development of those properties when in conflict with the following regulations.

Sec. 16-36.002. Findings, purpose and intent.

The BeltLine is a major initiative linking greenspace, trails, transit and economic development in Atlanta. It will serve as a catalyst for transformative growth and investment throughout the urban core of the City. Fundamentally, the Atlanta BeltLine Redevelopment Plan prescribed invigorating an underutilized rail corridor and surrounding underutilized industrial property to create a better connected, diversified Atlanta where people across the spectrum of age, income, ethnicity, and culture can live, work, shop, meet, and play. The BeltLine represents a unique opportunity to enhance the quality of life in the City; preserve and revitalize existing neighborhoods; make greater mixed-use development feasible; strategically introduce or increase density and optimize resources in select locations; increase the affordable housing inventory; promote air quality and reduce auto dependency, while concurrently advancing economic development through an increased tax base. The City finds that taking special consideration to ensure that the redevelopment of properties adjacent to and within walking distance of the BeltLine Corridor entails a compatible mixture of residential, commercial, cultural and recreational uses. Moreover, design standards conceptualized in the BeltLine Redevelopment Plan is crucial to promote and ensure the public health, safety and welfare of its residents. The City recognizes that as the BeltLine attracts new development such that the orientation and character of that growth should encourage pedestrian and transit-oriented uses and activities and should be designed to support an urban character so that the BeltLine has the most positive impact on affected communities.

By establishing the BeltLine Overlay (BLO) district, the City intends to institute a regulatory approach that anticipates, manages, and encourages quality BeltLine development opportunities and impacts. Therefore, policies to promote these objectives within the BeltLine Overlay Zoning area will serve to:

1. Preserve a continuous corridor along the BeltLine route of sufficient dimension for the implementation of transit, multi-use trails and greenspace;

2. Preserve opportunities for connecting trails that reach out beyond the BeltLine to create a broad network of trails throughout the City;
3. Encourage a grid of smaller blocks and connected streets to improve access to the BeltLine, reduce congestion, and further the urban character of the area;
4. Preserve the historic physical character of the industrial districts that follow the BeltLine by promoting adaptive re-use of historic structures and encouraging new construction to be consistent with the size, scale and/or character of those buildings;
5. Promote opportunities for parks, open space, and cultural and institutional buildings in the BeltLine district;
6. Maximize opportunities for safe and accessible parks, plazas, greenways and public art;
7. Ensure that new construction is compatible with the character of adjacent single family neighborhoods;
8. Create new mixed use and commercial nodes at BeltLine station areas that are pedestrian and transit-oriented;
9. Promote public health and safety by providing a pedestrian oriented environment that includes street-level uses, sufficient sidewalk widths, adequate visibility from adjacent buildings and primary pedestrian access from buildings to adjacent sidewalks;
10. Promote development of a wide range of housing types appropriate to meet different housing needs and income levels;
11. Facilitate safe, pleasant and convenient pedestrian and bicycle circulation and minimize conflict between alternative transit modes;
12. Minimize commercial parking in residential neighborhoods;
13. Encourage shared parking solutions and alternative modes of transportation;
14. Maximize air and water quality, including that which supports the planting of trees, greenspace and watershed protection, and bicycle parking.

Sec. 16-36.003. Boundaries.

The boundaries of the BeltLine Overlay District shall be as shown on the official zoning map adopted herewith entitled "BeltLine Overlay District."

Sec. 16-36.004. Procedures

1. Rezoning-- Pre-Application: Applications for rezonings within the subject area will begin with a pre-application consultation with the Bureau of Planning as set by the Bureau of Planning.
2. Special administrative permit requirement for building permits: Except as provided below, building permits in the Beltline Overlay District (BLO) shall be issued only after obtaining a special administrative permit (SAP) approval under the applicable requirements specified in Section 16-25.004, as meeting applicable requirements and intent of this district. An SAP application and a specified number of copies each of a site plan, landscape plan and elevation drawings of each exterior facade shall be submitted, as applicable, and approved by the director of the Bureau of Planning prior

to the issuance of a building permit, with a copy to be mailed concurrently to the appropriate NPU chair or his/her designee-for information purposes.

3. Exceptions to SAP:

- a. Existing lots of record that have an underlying zoning designation of R1, R2, R3, R4 or R5 not located immediately adjacent to the Beltline Transit Corridor shall be used as is otherwise permitted pursuant to the provisions of part 16 and shall not require the obtainment of a SAP. Any residential subdivisions or aggregation shall conform to the connectivity of the BeltLine Street Framework Plan, the requirement of Part 15 of the City Code, and the SAP process. When a conflict arises between Part 15 and this Chapter, the requirements of this Chapter shall apply.
- b. The Director of the Bureau of Planning may exempt certain classes of applications for special administrative permits from detailed review requirements as set forth upon written findings that generally within these districts, the actions proposed are of such a character or of such a scale as to make detailed reviews and approval by the Planning Director unnecessary. Where applications for special administrative permits are determined by reference to such findings to be thus exempted, the permit shall be issued if otherwise lawful.

4. Unified Development Plan: For the purposes of this Chapter a unified development plan approved under a single SAP and meeting all floor area ratio requirements, open space requirements, setback requirements, and off-street parking requirements may be subdivided, even if the resultant parcels do not otherwise meet these requirements. Any changes from the approved SAP shall require a new or amended SAP, which shall be based on the geographic extent of the original SAP; shall meet floor area ratios requirements, open space requirements, and off-street parking requirements of such; and shall indicate built or planned improvements on all parcels. Where a single property owner no longer owns all parcels, the applicant shall submit written authorization from all property owners with the permit application, with the exception of public streets deeded to the City of Atlanta.
5. Special Administrative Permit Concurrency: Where regulations may require the approval of a special administrative permit for other purposes so specified, processing by the director of the bureau of planning shall, without additional application, include consideration of other special administrative permits. Where such regulations require special exception or special use permit action, the special administrative permit for building permit purposes shall not be issued until the necessary approval has been obtained for special exception or special use permit.

Sec. 16-36.005. Provisions for variations from regulations applying generally in BeltLine Overlay District.

As part of general action when plans require approval of a special administrative permit, the director of the bureau of planning may authorize variations from regulations generally applying based on written findings that:

- (a) A plan proposed by an applicant, while not strictly in accord with regulations applying generally within the district, satisfies the public purposes and intent, and provides public protection to an equivalent or greater degree; or
- (b) In the particular circumstances of the case, strict application of a particular regulation or regulations is not necessary for the accomplishment of public purposes or the provision of public protection, at the time or in the future.

Notation concerning the existence of such variation shall be made on the official zoning map by appropriate identification and date; and a copy of the variation shall be filed in the office of the bureau of buildings as a public record for future guidance. As appropriate to the circumstances of the case, a copy shall also be recorded with the Clerk of the Council.

The Council or other officials or agencies of the City charged with decision responsibilities, in keeping with the BeltLine Zoning Overlay's overall purpose and intent, may from time to time grant or require certain variances within the district as particular cases warrant. Specifically, the agency or officials may find in a particular case that such variations are necessary to achieve public purposes set forth for the district, or for public protection, or the protection of the environs of particular buildings or premises of special and substantial public interest, or to ease the transition from one district to another. Among other things, such variations may require relocation or increase in yards or other open space generally required, reduction in height generally permitted, additional limitations on uses, signs, or illumination, and a greater degree of buffering and screening than is generally required.

Sec. 16-36.006. Permitted Uses.

The permitted uses are governed by the underlying zoning designation unless specifically prohibited by this chapter.

Sec. 16-36.007. Prohibited uses.

Reserved for future consideration after further studies by the Bureau of Planning in connection with the public input process.

Sec. 16-36.008. Permitted accessory uses and structures.

Accessory uses and structures permitted within this district shall include those customarily accessory and clearly incidental to permitted principal uses and structures and specifically includes clubhouses, pools, and other recreation amenities, and parking to serve authorized residential and nonresidential uses within the district subject to the restrictions contained elsewhere in this chapter.

Accessory parking structures and lots for required parking are permitted within 300 feet of primary use as measured from the nearest property line, without a special exception.

Sec. 16-36.009. Transitional uses and yards.

1. Adjoining lot with same frontage: Underlying Zoning Requirements shall apply.
2. Transitional height planes: Where this district adjoins residential districts R-1 through R-5, R-G 1, R-G 2, MR-1, MR-2, RLC or PD-H district without an intervening street, height within this district shall be limited by the Transitional Height Plane requirements as defined in Section 16-29.001.
3. Transitional yards: Where this district adjoins an R-1 through R-5, R-G-1, R-G-2, MR-1, MR-2, RLC or PD-H district without an intervening street or without meeting the conditions in Section 16-33.009(3)(b) of this chapter, a minimum of twenty (20) feet is required which shall not be used for the purpose of parking, paving, loading, servicing or any other activity with the exception of private alleys or drives up to ten (10) feet in width or pedestrian walkways. Such yards shall be planted as approved by the City Arborist and maintained as a landscaped strip.
4. Screening: In addition to the above transitional yard requirements, permanent opaque walls six (6) feet in height shall be provided and shall be maintained in sightly condition.

Sec. 16-36.010. Open Space Requirements and Incentives.

1. New streets incentive. New public streets or private streets which function as public streets may be counted towards UOSR or public space requirements provided the following criteria are met:
 - a. Connects two other public streets or private streets; and
 - b. Meets the requirements of section 16-36.012; and
 - c. The maximum width shall be 36 feet which shall include, two on-street parallel parking lanes, two travel lanes and sidewalk extensions at intersections and shall have granite curbs; and
 - d. When adjacent to a park area, new streets shall meet all above requirements along each park edge.
 - e. Gates shall not be permitted across said streets.
2. Connectivity incentive. Developments which provide connectivity across public rights-of-way which do not provide pedestrian access, such as railroads and freeways, may be permitted by the Director of the Bureau of Planning to be counted towards UOSR or public space requirements subject to the following criteria:
 - a. Said connectivity shall be achieved through the use of public streets, private streets which function as public streets, pedestrian walkways or bike and jog paths; and
 - b. Meets the requirements of section 16-36.012; and
 - c. Pedestrian walkways shall be a minimum width of six feet and bike and jog paths shall be a minimum width of ten feet.
 - d. Streets, pedestrian walkways and bike and jog paths shall connect to other public streets, pedestrian walkways, bike and jog paths or parks.
3. On-street parking incentive. New on-street parking may be counted towards UOSR or public space requirements provided the following criteria are met:

- a. No on-street parking currently exists in the public right-of-way adjacent to the project area for which credit is sought; and
- b. The new on-street parking is located where there is no existing street lane; and
- c. The on-street parking occupies an entire block face or a minimum distance of 200 feet; and
- d. Sidewalk extensions are provided at street intersections; and
- e. All other sidewalk requirements of this chapter are met.

Sec. 16-36.011. Site Limitations.

Except as provided below, development controls are regulated per the underlying zoning.

1. Where sites are impacted by the Beltline Street Framework Plan, site plans that conform to the Beltline Street Framework Plan shall override block face requirements in the underlying zoning.
2. Properties adjacent to the BeltLine corridor or any railroad right-of-way with an existing or proposed multi-use trail shall meet the following requirements:
 - a. Shall have a minimum 20-foot wide buffer along the property line adjacent to said public space in existence or proposed by the City. Said buffer shall be completely landscaped excluding walkways, benches and other such recreational features as approved by the director of the Bureau of Planning. A development may count this buffer area as part of the required open space or public space for the lot, even if such setback area is dedicated to the city or other governmental entity for recreation use or such buffer area is conveyed to a conservation group.
 - b. Shall provide a new public access street (or streets) in accordance with the Beltline Street Framework Plan, unless granted a variation in accordance with this Chapter.
 - c. Shall not locate off-street parking areas or loading docks between any building and said space except in cases where meeting this would require the development to be in conflict with the requirements of Section 16-36.016 or Section 16-36.019.
 - d. Shall include an entrance to all adjacent uses which:
 - i. Shall face and be visible from the BeltLine, park space, greenway or any railroad with an existing or proposed rail-trail.
 - ii. Shall be directly accessible from said space from the park space, greenway, abandoned rail line or rail line with an existing or proposed rail-trail.

Section 16-36.012. Sidewalks.

Public sidewalks shall be located along all streets and shall have the widths identified in the Beltline: Sidewalk and Supplemental Zone Table.

1. Street furniture and tree planting zone: is the portion of a sidewalk located between the sidewalk clear zone and the curb that is reserved for the placement of street trees and street furniture including utility poles, waste receptacles, fire hydrants, traffic signs, traffic control boxes, newspaper vending boxes, transit shelters, bicycle racks, benches and similar elements in a manner that does not obstruct pedestrian access or motorist visibility. Awning, canopies or similar elements shall be prohibited in the

street furniture and tree planting zone. The Street furniture and tree planting zone shall have the width requirements specified in the Beltline: Sidewalk and Supplemental Zone Table.

2. Sidewalk clear zone: is the portion of the sidewalk that is continuous hardscape and unobstructed by any permanent objects for a minimum height of eight feet reserved for pedestrian circulation and passage, except as authorized in Section 16-36.014(7). No fixed elements, including traffic control boxes and other utility structures shall be placed above ground in the clear zone. The clear zone shall have a consistent cross-slope not exceeding two percent. The sidewalk clear zone shall have the width requirements specified in the Beltline: Sidewalk and Supplemental Zone Table except where property within these districts abuts an R, R-G, MR, PD-H, or LW district without an intervening street or railroad right-of-way, the sidewalk area within 20 feet of such districts shall taper as necessary to provide a smooth transition to the existing R, R-G, MR, PD-H, LW district sidewalk. In the event that the abutting R, R-G, MR, PD-H, LW district has no existing sidewalk, the sidewalk shall taper to a width of six feet.
3. Paving Materials: All paving within the street furniture and tree planting zone shall be a type specified by the Director of Planning in accordance with uniform design standards utilized by the Director for placement of such objects in the public right-of-way.
4. Street trees: are required as indicated in the Beltline: Sidewalk and Supplemental Zone Table. Street trees shall be planted a maximum of thirty (30) feet on center within the street furniture and tree planting zone and spaced equal distance apart. All newly planted trees shall have a minimum of three (3) inches in caliper measured thirty-six (36) inches above ground, a minimum of twelve (12) feet in height, a minimum mature height of forty (40) feet, and limbed up to a minimum height of seven (7) feet. Trees shall have a minimum planting area of forty (40) square feet. Tree-planting areas shall be planted with evergreen ground cover such as mondo grass or *liriope spicata*. All plantings, planting replacement and planting removal shall be approved by the City Arborist. The area between required plantings shall either be planted with evergreen ground cover such as mondo grass or *liriope spicata* or shall be paved as approved by the Director of Planning.
5. Decorative pedestrian lights: where installed, shall be placed a maximum of sixty (60) feet on center and spaced equidistant between street trees within the street furniture and tree planting zone. All said lights shall be Atlanta Type "C" or other as approved by the Director of the Bureau of Planning.
6. Trash receptacles or similar elements: where installed, shall be a type specified by the Director of the Bureau of Planning in accordance with uniform design standards utilized by the Director for placement of such objects in the public right-of-way and shall be placed within the street furniture and tree planting zone.
7. Visibility at Intersections: Nothing shall be erected, placed, planted or allowed to grow in such a manner as to impede visibility within visibility triangles at street intersections, as measured from the curb, between the heights of two and one-half feet and eight feet above grade. See Section 16-28.008(9): Visibility at intersections.

8. Overhead Utilities: Upon redevelopment of a parcel reasonable efforts shall be made to place utilities underground or to the rear of structures to allow for unobstructed use of sidewalks.

Section 16-36.013. Supplemental Zone.

The Supplemental Zone shall have the width requirements specified in the Beltline: Sidewalk and Supplemental Zone Table. For purposes of this chapter the Supplemental Zone is defined as the area between any building, including parking deck or any surface parking lot and the back of the required sidewalk, when no intervening building exists. Except as otherwise specified below, the square footage contained within a supplemental zone which meets all of the following supplemental zone requirements may be counted towards UOSR or Public Space requirements (PSR).

1. Supplemental zone general requirements:
 - a. When sidewalk-level residential units are provided, the supplemental zone shall be landscaped with the exception of terraces, porches, stoops and walkways, which may occupy a maximum of two-thirds of the supplemental zone area.
 - b. Terraces, porches and stoops shall have a maximum finished floor height of 30 inches above finished-grade, unless existing topographical considerations render this requirement unreasonable, subject to the provisions in Section 16-25.002(3).
 - c. The supplemental zone shall be no more than 24 inches above the adjacent public sidewalk for a minimum linear distance of 15 feet from the nearest edge of the adjacent public sidewalk, unless existing topographical considerations render this requirement unreasonable.
 - d. Any authorized walls surrounding landscaped and grassed areas shall not exceed a maximum height of 24 inches.
 - e. Fencing permitted only when:
 - i. The supplemental zone is located between sidewalk-level residential units and the adjacent street; or
 - ii. Said fencing is used to separate authorized outdoor dining from the required sidewalk.
 - f. Outdoor dining may be located in the supplemental zone and may be separated from the sidewalk only with movable planters, fencing, or similar non-fixed barriers provided they do not exceed a height of 36 inches including any plant material.
2. Supplemental zones containing a depth of fifteen (15) feet or less shall meet the following additional requirements:
 - a. No balcony shall encroach more than ten (10) feet into the supplemental zone area.
 - b. Shall not be counted towards UOSR or public space requirements unless visible and accessible to the general public from the adjacent public sidewalk, with the exception of areas adjacent to sidewalk level residential units.
3. Supplemental zones containing a depth greater than fifteen (15) feet shall be counted towards UOSR or public space requirements only when the following additional requirements are met:

- a. Shall permit and encourage pedestrians to walk on a minimum of eighty (80%) percent of the surface of the supplemental zone excluding fountains, pedestrian furniture, public art and similar elements.
- b. When adjacent non-residential ground floor uses are provided, shall be visible and accessible from any point along ninety (90%) percent of any adjacent sidewalk.
- c. When adjacent non-residential ground floor uses are provided, all sides of buildings fronting said zone meet the requirements of Section 16-36.014(6).
- d. When adjacent residential ground floor uses are provided, shall provide a pedestrian walkway from said space to the adjacent public sidewalk. Said pedestrian walkway shall be perpendicular to the street and shall connect directly to the public sidewalk and shall be uncovered and open to the sky along its entire length.

| Beltline: Sidewalk and Supplemental Zone Table | | | | |
|---|---|--|-------------------|------------------|
| Street Trees in Street Furniture and Tree Planting Zone | Street Furniture and Tree Planting Zone Minimum Width | Sidewalk Clear Zone Minimum Width | Supplemental Zone | |
| | | | Minimum Width | Maximum Width |
| Required- Maximum 30' apart | 5 feet | 10 feet | 0 or 5 feet* | none |
| * 5 feet minimum required adjacent to sidewalk-level residential use; otherwise no supplemental zone requirement. | | | | |

5. Multi-use trails: For purposed of this Chapter multi-use trails is defined as public or public access paths that are constructed in association with developments in order to connect to the Beltline. Said trails shall be built according to shared use path standards set forth in the American Association of State Highway and Transportation Officials' (AASHTO) "Guide for the Development of Bicycle Facilities" and shall be designed to a minimum paved width of 10'-0" for two-directional bicycle and pedestrian use.

Sec. 16-36.014. Relationship of building to street.

1. For purposes of this chapter, sidewalk-level shall be defined as any floor of a building with a finished-floor elevation less than or equal to five feet above or below the adjacent sidewalk.
2. Delineation of building floors at third story above sidewalk-level and lower shall be executed through windows, belt courses, cornice lines or similar architectural detailing.
3. The primary pedestrian entrance for pedestrians to access all sidewalk-level uses and business establishments with public, private street, or Beltline Corridor frontage:
 - a. Shall face and be visible from the public street or Beltline Corridor when located adjacent to such street or Beltline Corridor. When located adjacent to a street that functions as an arterial street or a collector street, said entrance shall face and be visible from such street.

- b. Shall be directly accessible and visible from the sidewalk adjacent to such street.
- c. Shall remain unlocked during business hours for nonresidential uses.
- 4. A street address number shall be located directly above or beside the primary building entrance, shall be clearly visible from the sidewalk and shall be a minimum of six inches in height.
- 5. Fenestration. (For parking deck requirements see Section 16-36.017(3)):
 - a. Street-fronting nonresidential uses, with the exception of churches and fire stations, along streets that function as arterial streets and collector streets shall meet the following sidewalk level requirements:
 - i. Storage, digital industry switchboards, power generators and other relay equipment and rooms housing such equipment shall be permitted, with the exception of a minimum depth of 20 feet of the ground floor street frontage beginning at any building facade along the public sidewalk.
 - ii. The length of facade without intervening fenestration or entryway shall not exceed 20 feet.
 - iii. Fenestration shall be provided for a minimum of 65 percent of the length of all street frontages:
 - a) Beginning at a point not more than three feet above the sidewalk, to a height no less than ten feet above the sidewalk; or
 - b) Beginning at the finished floor elevation to a height no less than ten feet above the finished floor elevation when the finished floor elevation is three or more feet above the sidewalk; or
 - c) Beginning at a point not more than sidewalk level, to a height no less than ten feet above the finished floor elevation when the finished floor elevation is below the sidewalk.
 - iv. Fenestration shall not utilize painted glass, reflective glass or other similarly treated or opaque windows. Entrances may be counted towards fenestration requirements.
 - v. Fenestration shall be provided for a minimum of 30 percent of the length of the street frontage for residential uses on all streets and for nonresidential uses, with the exception of churches and fire stations, on all streets other than streets that function as arterial streets and collector streets.
- 6. Buildings with residential uses at the sidewalk level shall meet the following regulations:
 - a. All primary pedestrian entrances not adjacent to a public sidewalk shall be linked to the public sidewalk with a pedestrian walkway a minimum of four-feet wide.
 - b. All such buildings with more than four residential units that are adjacent to the sidewalk shall have individual entrances to such units directly accessible from the sidewalk and shall open directly onto the adjacent sidewalk, park, plaza, terrace or porch adjacent to the sidewalk. All pedestrian walkways providing such access shall be perpendicular to the street, unless topography prohibits, and shall be permitted to share said walkway with one adjacent unit.
 - c. Such buildings shall have windows at sidewalk-level on each street frontage facade which are substantially similar in size to the sidewalk level front facade windows.
 - d. Sidewalk arcades are prohibited.

7. Sidewalk arcades. Buildings with nonresidential uses at the sidewalk level may have sidewalk arcades, which shall meet the following regulations:
 - a. Shall provide an at-grade sidewalk surface.
 - b. Arcade supports shall be a maximum width of five feet.
 - c. Shall provide a minimum of 25 feet of clear unobstructed space between arcade supports.
 - d. A building with a sidewalk arcade shall meet the above requirements of subsection 16-36.014(5).
8. Fences and walls shall meet the following regulations.
 - a. For residential uses adjacent to the sidewalk, adjacent to the BeltLine or adjacent to a public or private street that connects with property adjacent to the BeltLine, fences shall not exceed 42 inches in height when located between the primary building and the subject sidewalk, Beltline or street.
 - b. For nonresidential uses adjacent to the sidewalk, adjacent to the BeltLine or adjacent to a public or private street that connects with property adjacent to the BeltLine, fences are prohibited when located between the building and the sidewalk except where specifically authorized elsewhere in this chapter for outdoor dining.
 - c. Retaining walls located adjacent to a sidewalk, adjacent to the BeltLine or adjacent to a public or private street that connects with property adjacent to the BeltLine, shall not exceed a height of two feet and the combined height of a fence where otherwise authorized and retaining wall shall not exceed a height of five feet, unless existing topography prohibits retaining walls of a lesser height. Retaining walls shall be finished poured concrete or shall be faced with stone, brick or smooth stucco. See subsection 16-29.001(25).
 - d. No walls, except retaining walls, shall be located between the street and any building, or between the BeltLine and any building, with the exception of screening for authorized off-street loading areas.
 - e. Fences and walls located between the primary building and the lot line and not exceeding six feet in height may be erected, but shall not be permitted between the primary building and the street **or** between the BeltLine and any building.
9. No barbed wire, razor wire, chain link fence or similar elements shall be visible from any public plaza, ground level or sidewalk level outdoor dining area, the BeltLine or any other public right-of-way.
10. Gasoline fuel dispenser structures and associated vehicular services such as air pumps and car washes shall not be located between a building and the street.

Sec. 16-36.015. Signage

Refer to Section 16-28A. Sign Ordinance for regulations pertaining to the underlying zoning category.

Sec. 16.36.016. Loading areas, loading dock entrances and building mechanical and accessory features.

1. Loading areas. Dumpsters and loading areas shall be paved with impervious materials and shall be screened so as not to be visible from any public plaza, ground level or sidewalk level outdoor dining area, public sidewalk or public right-of-way. In addition, dumpsters and loading areas serving residential uses shall be enclosed with opaque walls six feet in height.
2. Loading dock entrances for nonresidential uses shall be screened so that loading docks and related activity are not visible from the public right-of-way.
3. Building mechanical and accessory features.
 - a. Shall be located to the side, rear, or roof of the principal structure and shall be in the location of least visibility from the public right-of-way. Screening with plant or fence materials shall be required if the equipment is otherwise visible from the public right-of-way.
 - b. When located on rooftops shall be incorporated in the design of the building and screened with building materials similar to the building.
 - c. Shall not be permitted between the building and any public street.

Sec. 16-36.017. Driveway Curb Cuts, Driveways and Parking Structures.

1. Driveway curb cuts:
 - a. Shall be a maximum of 24 feet for two-way entrances and 12 feet for one-way entrances, unless otherwise permitted by the Commissioner of Public Works.
 - b. Shall not be permitted on any street that functions at the location on the right-of-way in question as an arterial street or collector street when access may be provided from a local street with the exception of hotels and hospitals.
 - c. All sidewalk paving materials shall be continued across any intervening driveway curb cut at the same prevailing grade and cross slope as the adjacent sidewalk clear zone.
 - d. Shall have a band of textured concrete adjacent to the street which is in-line and equal in width to the street furniture zone and shall have a textured band of concrete adjacent to the back of that sidewalk and in-line with the supplemental zone of a minimum width of five feet.
 - e. Maximum permitted number of driveway curb cuts for each development, subject to the provisions of Section 16-25.002(3):
 - i. Developments with only one street frontage, which is less than 300 feet in length: one (1);
 - ii. Developments with only one street frontage, which is greater than or equal to 300 feet in length: two (2);
 - iii. Developments with more than one street frontage: one (1) located on each street frontage, with the exceptions as indicated in Section 16-36.017(1)(b).
 - iv. For the purposes of this Section, two curb cuts serving two one-way driveways shall only be counted as one curb cut.
2. Driveways:
 - a. Driveways or circular drives, except to reach the side yard or rear yard or an on-site parking facility, are not permitted between the sidewalk and a building, and shall be perpendicular to any adjacent street with the exception of hotels,

- hospitals, childcare centers, kindergartens and special schools, subject to provisions in Section 16-25.002(3).
- b. Driveways that are outside the lot boundaries shall be permitted provided they are directly connected to a public street, subject to provisions in Section 16-25.002(3).
 - c. All contiguous ground-floor residential units shall share one common drive, located in rear yards or side yards without street frontage, to serve garages and parking areas.
 - d. Independent driveways are not required when access is provided to a private alley. For single and two family dwellings independent driveways are not required.
 - e. Notwithstanding the provisions of Section 16-28.006(10), the Director of the Bureau of Planning may authorize a common or joint driveway when adjacent lots have direct vehicular access to a street or a driveway from a private street which functions as a public street based on traffic considerations when a perpetual easement agreement is agreed upon by all affected property owners and a copy of such agreement is provided to the Bureau of Planning.
3. Parking structures, either principal or accessory use: when located immediately adjacent to the Beltline corridor, any public right-of-way, public park, private street or adjacent R-1 through R-5, RLC, R-G, MR, PD-H district:
- a. Shall have the appearance of a horizontal storied building on all levels and shall conceal automobiles from view. Said deck shall have an appearance similar to that of the adjoining or attached residential, commercial or mixed-use structure.
 - b. Parking deck facades shall have openings screened with mesh or decorative panels, tinted or sandblasted spandrel glass, or similar screening elements so as to prevent views into the parking structure.
 - c. Parking decks shall be illuminated with uplighting or shall contain shielded internal light bulbs to eliminate light spillage outside the deck. See Section 16-36.018 for additional lighting requirements.
 - d. Shall meet the active-use and façade treatment requirements as applicable in Section 16-36.014 unless topographic considerations render this requirement unreasonable. In such case, a continuous minimum five feet wide landscaped strip shall be provided between the structure and the public sidewalk, except at ingress and egress points into the structure. Said landscaped strip shall be planted with street trees spaced a maximum distance of 20 feet on center, which shall also meet the tree requirements in Section 16-36.012(4). The landscape strip shall also be planted with evergreen ground cover such as mondo grass, *liriope spicata*, ivy or evergreen shrubs with a maximum mature height of 24 inches. All plantings, planting replacement and planting removal shall be approved by the City Arborist.
 - e. Shall provide a continuous landscaped strip between the structure and property line located immediately adjacent to any public park, private street or adjacent R-1 through R-5, RLC, R-G, MR, PD-H district to be planted as indicated above in Section 16-36.017(3)(d).
4. All developments, including parking decks, shall have walkways a minimum width of four feet connecting ground level parking to the public sidewalks and to all building entrances.

5. Entrances to garages and carports that serve a single residential unit, and which are located less than 20 feet behind the façade of the principal structure, shall face the rear yard or a side yard which has no street frontage.
6. Drop-off lanes: Where on-street parking is provided, certain parking spaces may be utilized as drop-off spaces, when permitted by the Commissioner of Public Works. Drop-off spaces or lanes are otherwise prohibited.
7. Drive-through service windows, drive-in facilities and associated queuing areas are permitted only when completely enclosed within a building or parking structure and except at ingress and egress points. Such facilities shall also be limited to one drive-through or drive-in facility and one queuing lane. Drive-through facilities for eating and drinking establishments are not permitted.

Sec. 16-36.018. Lighting, Security, and Maintenance Requirements.

1. All lighting, including all parking decks and lots, loading areas, and lit canopies, shall reduce light spillage onto adjacent residentially used properties by providing cutoff luminaires that have a maximum 90 degree illumination.
2. All lighting that up-lights trees, buildings or other elements, shall be located a minimum height of eight feet above the sidewalk, driveway or pedestrian area when not located within completely landscaped areas.
3. All parking facilities shall be maintained in a clean, safe and sanitary condition. Parking spaces and driving lanes shall be clearly defined and maintained as such. Parking lots shall not be operated when any damage impairs the drivability of the parking lot. See Section 16-28.014 for additional requirements.

Sec. 16-36.019. Minimum Landscaping Requirements for Surface Parking Lots.

The requirements of City of Atlanta Code of Ordinances, Chapter 158 Vegetation, Article II Tree Protection, Section 30 Parking Lot Requirements shall apply to this district in addition to the street tree planting requirements, with additional requirements as follows:

1. Said surface parking lot requirements shall apply to all lots regardless of size;
2. Existing parking lots shall not be required to reduce the number of parking spaces by more than three (3) percent as a result of implementing the following surface parking lot landscaping regulations.
 - a. All parking bays shall be terminated with a landscape strip a minimum width of five (5) feet and equal to the length of the parking bay.
 - b. All required landscaped areas shall be planted with evergreen groundcover or shrubs with a maximum mature height of 30 inches; and
 - c. All required landscaped buffer strips, regardless of length, shall have a minimum of one (1) tree planted per 30 feet of length with a minimum caliper of two and one half inches.

Sec. 16-18V.020. Off-Street Bicycle Parking.

1. Bicycle Parking: All spaces provided shall include a metal anchor sufficient to secure the bicycle/moped frame when used in conjunction with a user-supplied lock and

shall be of a type specified by the Director of the Bureau of Planning in accordance with uniform design standards utilized by the Director for placement of such objects within the public right-of-way as applicable.

- a. Non-residential developments shall have no fewer than two bicycle/moped parking spaces or be required to exceed a maximum of 50 spaces and shall provide bicycle/moped parking facilities at a ratio of at least one bicycle/moped parking space for every 4,000 square feet of non-residential floor area to be located within the street furniture zone or supplemental zone a maximum horizontal distance of 100 feet of the building entrance.
- b. Multi-family developments shall provide said facilities at a ratio of at least one bicycle/moped parking space for every five multi-family units but shall not be required to exceed a maximum of 50 spaces. Each space shall be located either:
 - i. At least as close as the closest non-handicapped automobile parking space; or
 - ii. Within the street furniture zone or supplemental zone a maximum horizontal linear distance of 100 feet of the building entrance.

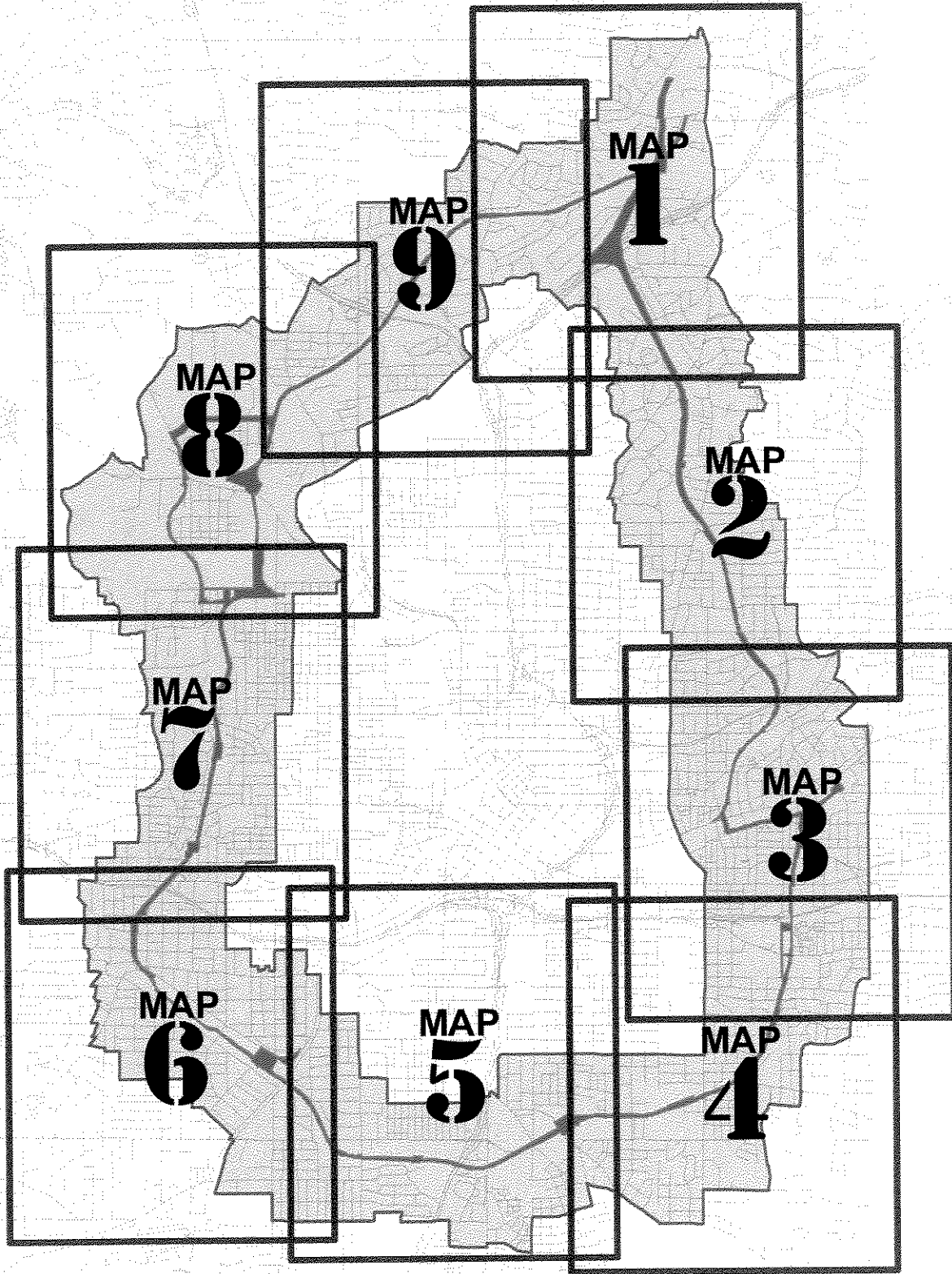
Sec. 16-36.021. Off-street parking requirements.

In addition to the provisions of subsection 16-28.008(7), which shall apply and are incorporated herein the, following parking requirements shall apply to all uses approved by special permits. (See also sections 16-28.013 and 16-28.014.)

1. The number of off-street parking spaces required shall be determined by the underlying zoning.
2. Off-street surface parking shall not be located between a building and the street without an intervening building.
3. Parking facilities shall be accessory to a permitted principal use only, provided that parking spaces serving another principal permitted use may use such facility for shared parking during non-normal business hours by compliance with the parking requirements of the underlying zoning.
4. For office uses minimum requirements unless otherwise stated:
 - a. All developments shall reserve and designate at least five percent of the employee parking spaces "Carpool Only." Carpool spaces shall be used only by carpool vehicles in which at least one the persons is an employee or tenant in the building. Such spaces shall be located near the building's employee entrance or other preferable locations within the employee parking areas as approved by the director of the bureau of traffic and transportation.
 - b. All new parking structures shall be built to accommodate vanpool access. The minimum ceiling height for vanpools is eight feet two inches.
5. Maximum Parking: No development shall have parking in excess of ten (10%) percent of the minimum required unless granted an administrative variation as authorized by the section.
6. Shared Parking: Shared parking arrangements or agreements inside BLO are encouraged. Reductions in the amount of on site parking required may be granted by Administrative Variation where applicants can provide evidence of shared parking agreements within 600 feet of the property.

Sec. 16-36.022. Pedestrian bridges and tunnels.

Pedestrian bridges and tunnels are prohibited when located above or below public streets, private streets which function as public streets connecting two other public streets, or other public rights-of-way.



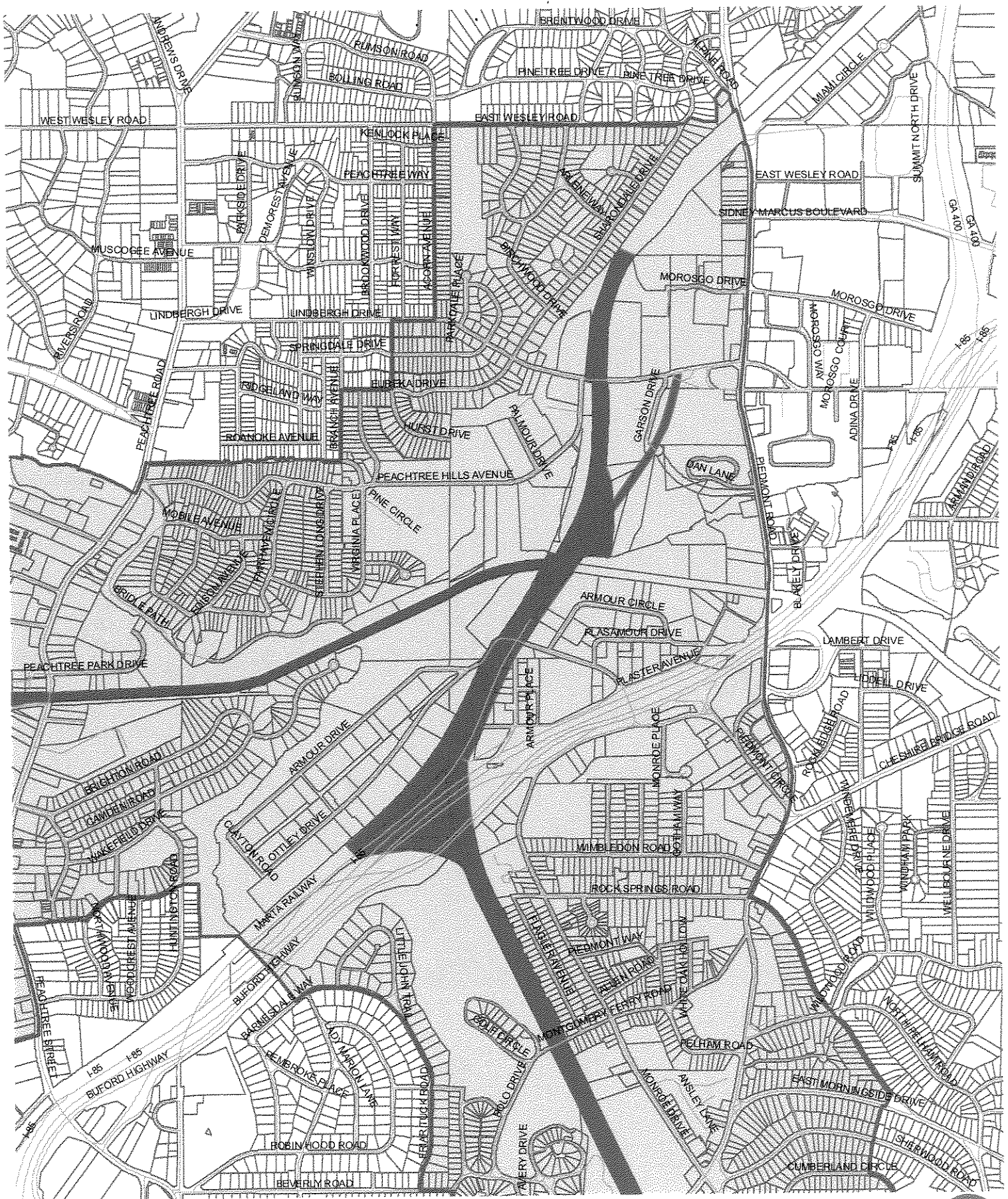
Key Map : Beltline Overlay District Boundaries

CITY OF ATLANTA : DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

EXHIBIT B



06 NOV 2006



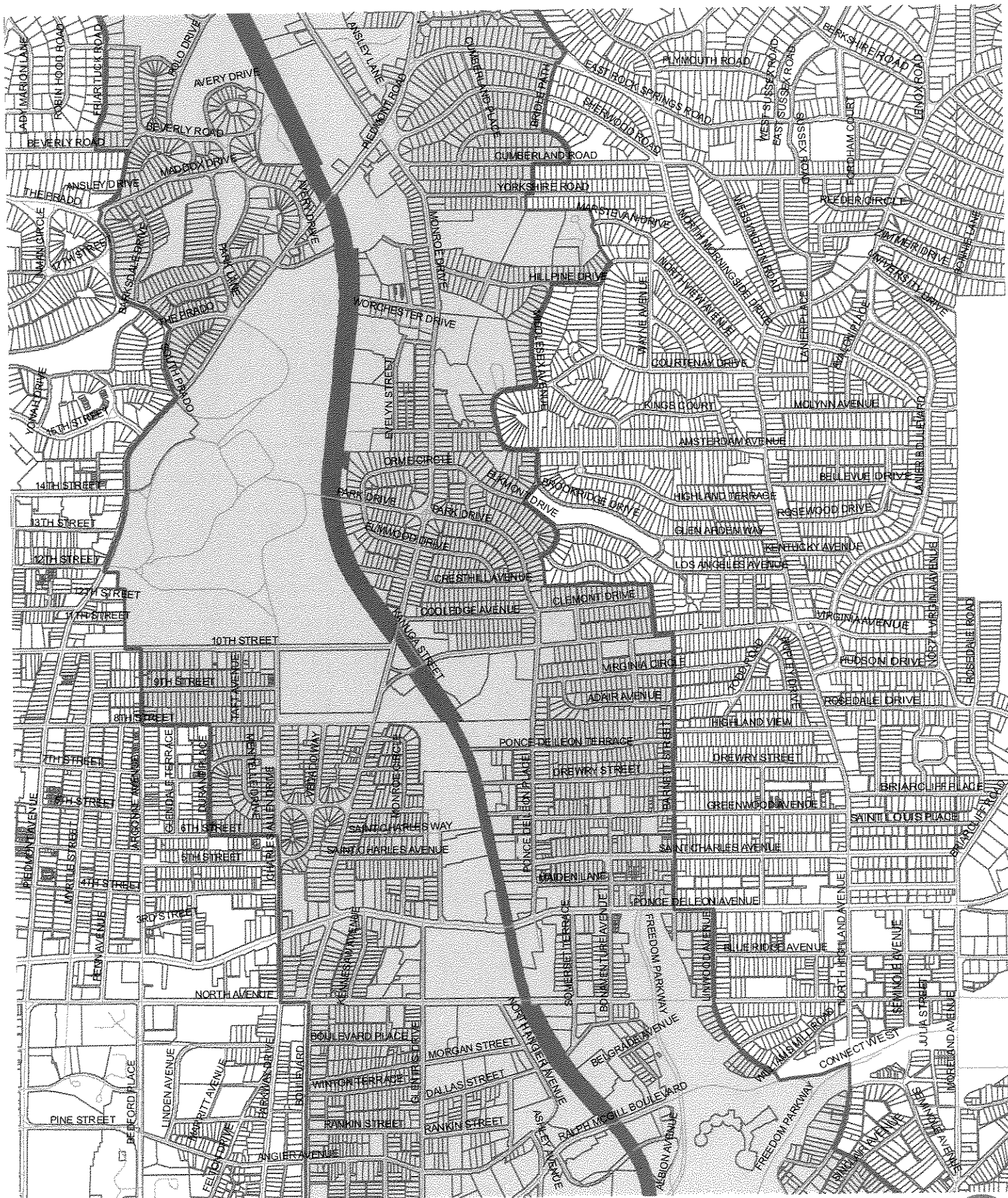
MAP 1 : Beltline Overlay District Boundaries

CITY OF ATLANTA : DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

EXHIBIT B



06 NOV 2006



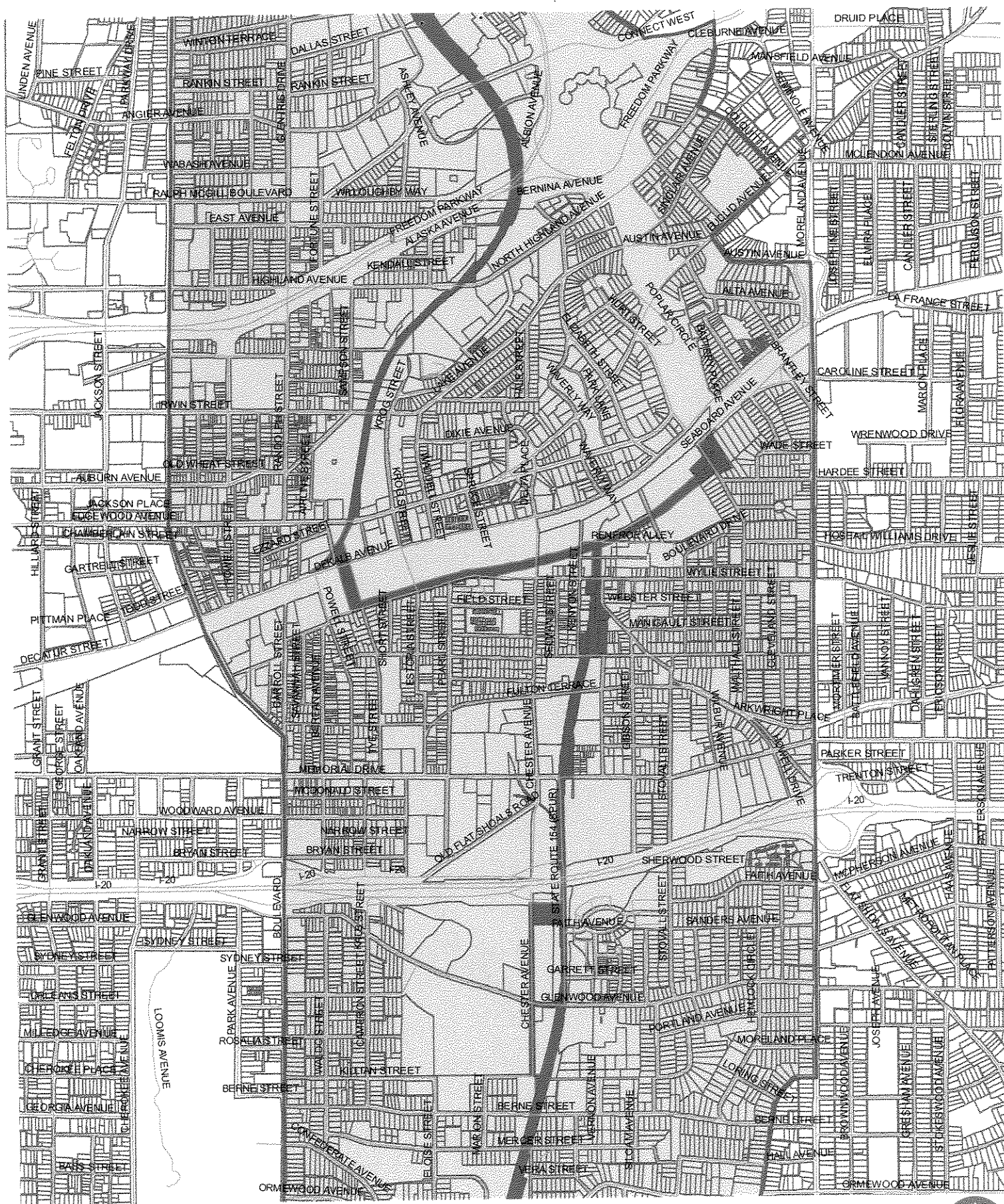
MAP 2 : Beltline Overlay District Boundaries

CITY OF ATLANTA : DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

EXHIBIT B



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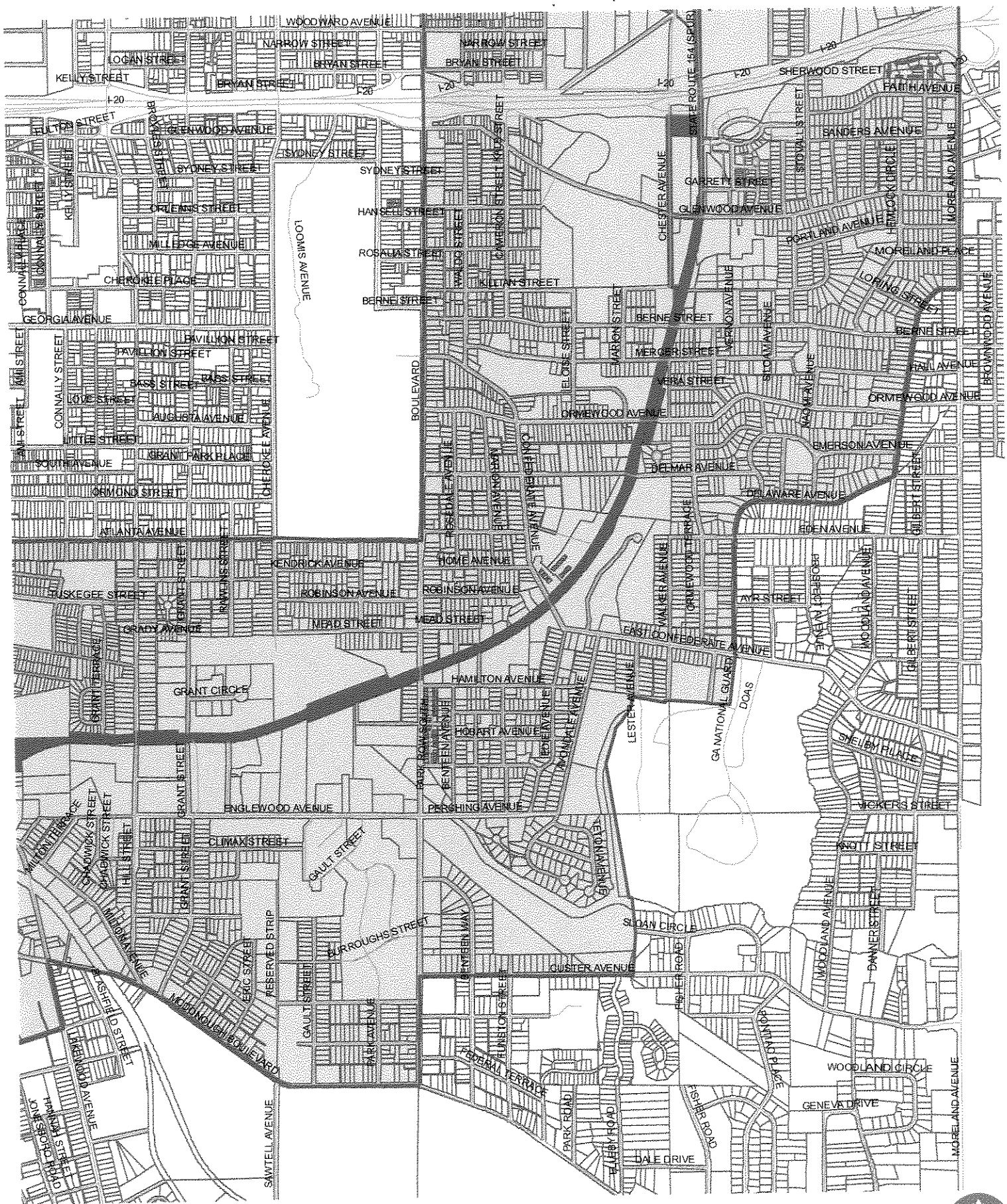
MAP 3 : Beltline Overlay District Boundaries

CITY OF ATLANTA : DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

EXHIBIT B



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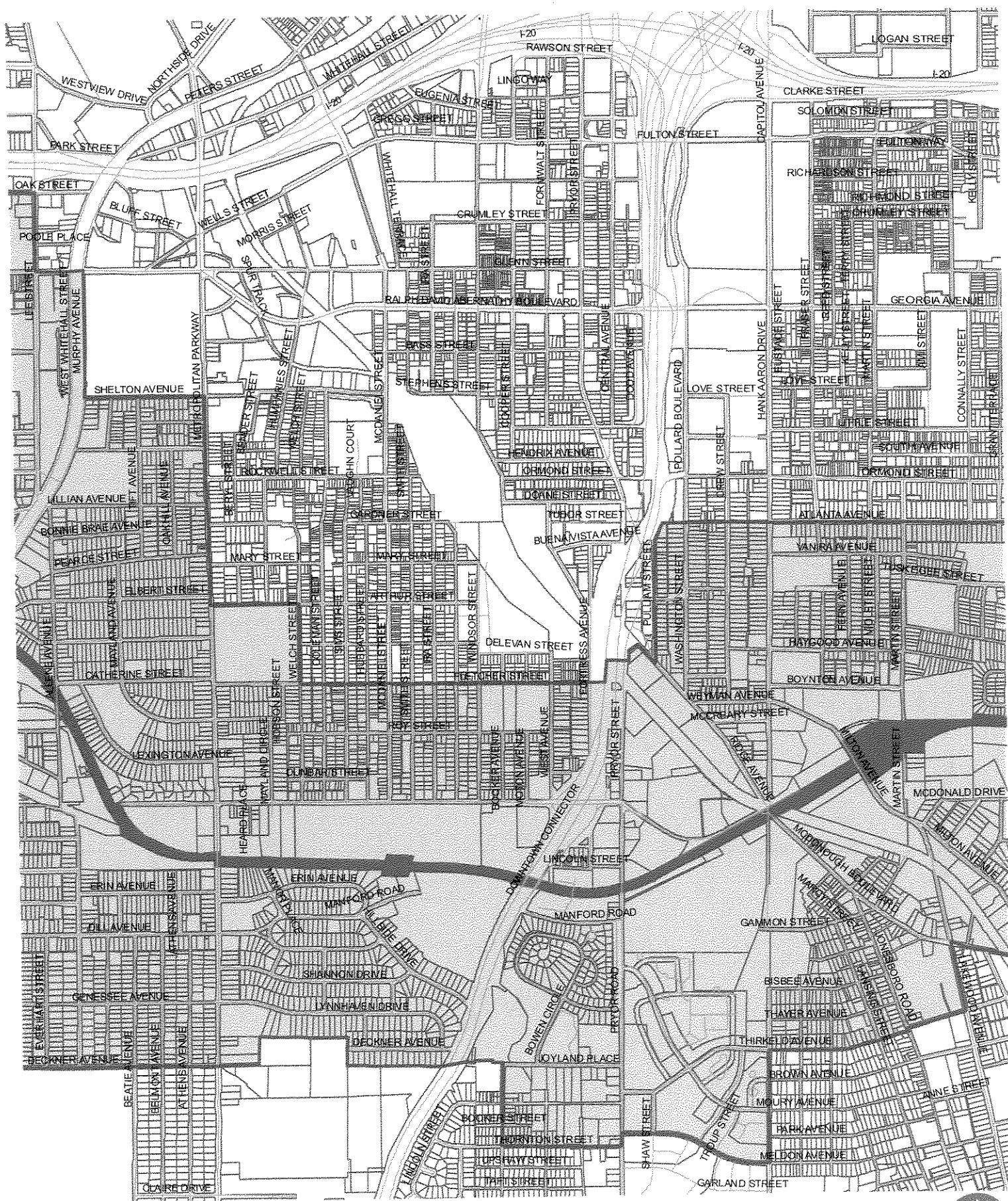
MAP 4 : Beltline Overlay District Boundaries

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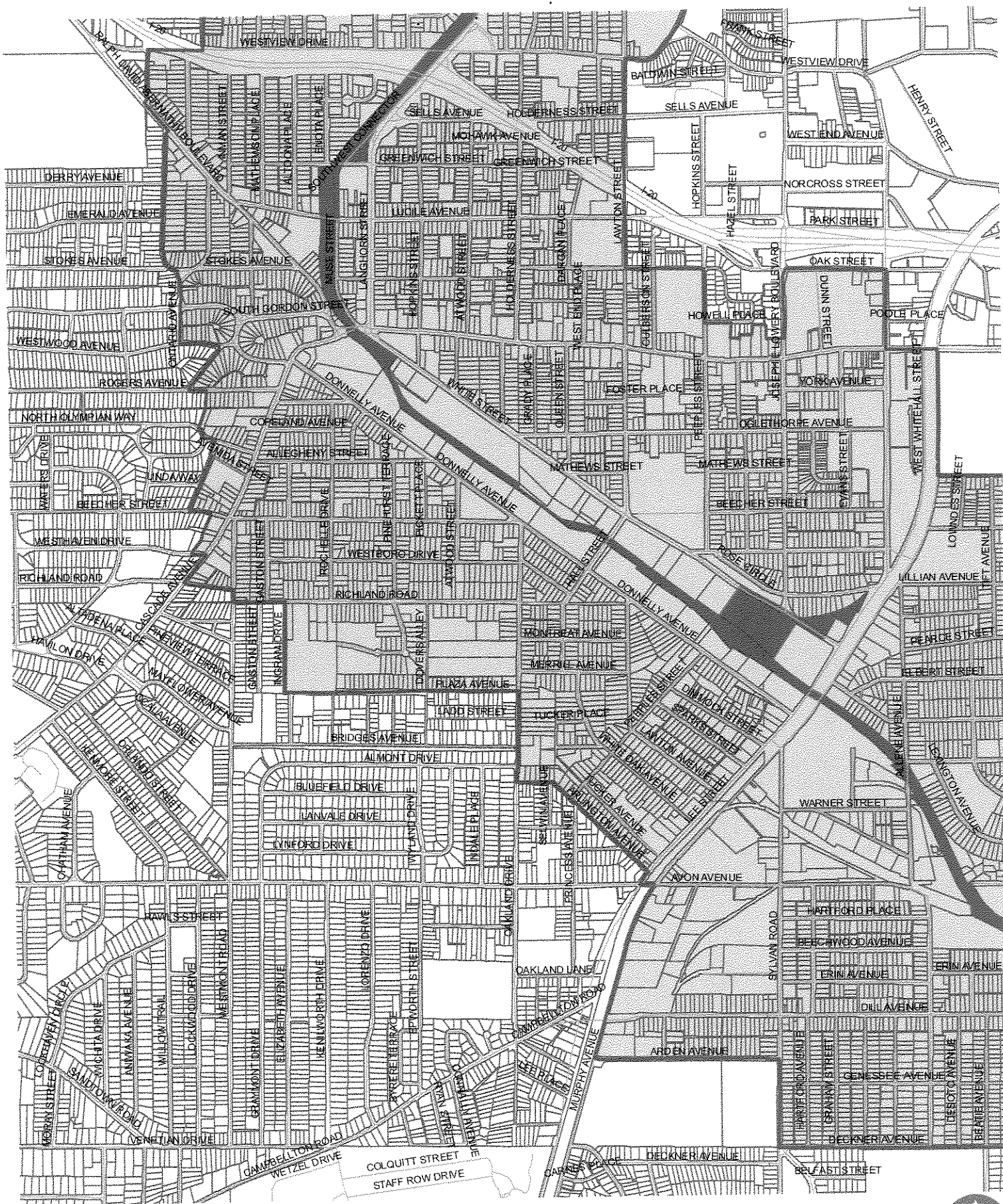
MAP 5 : Beltline Overlay District Boundaries

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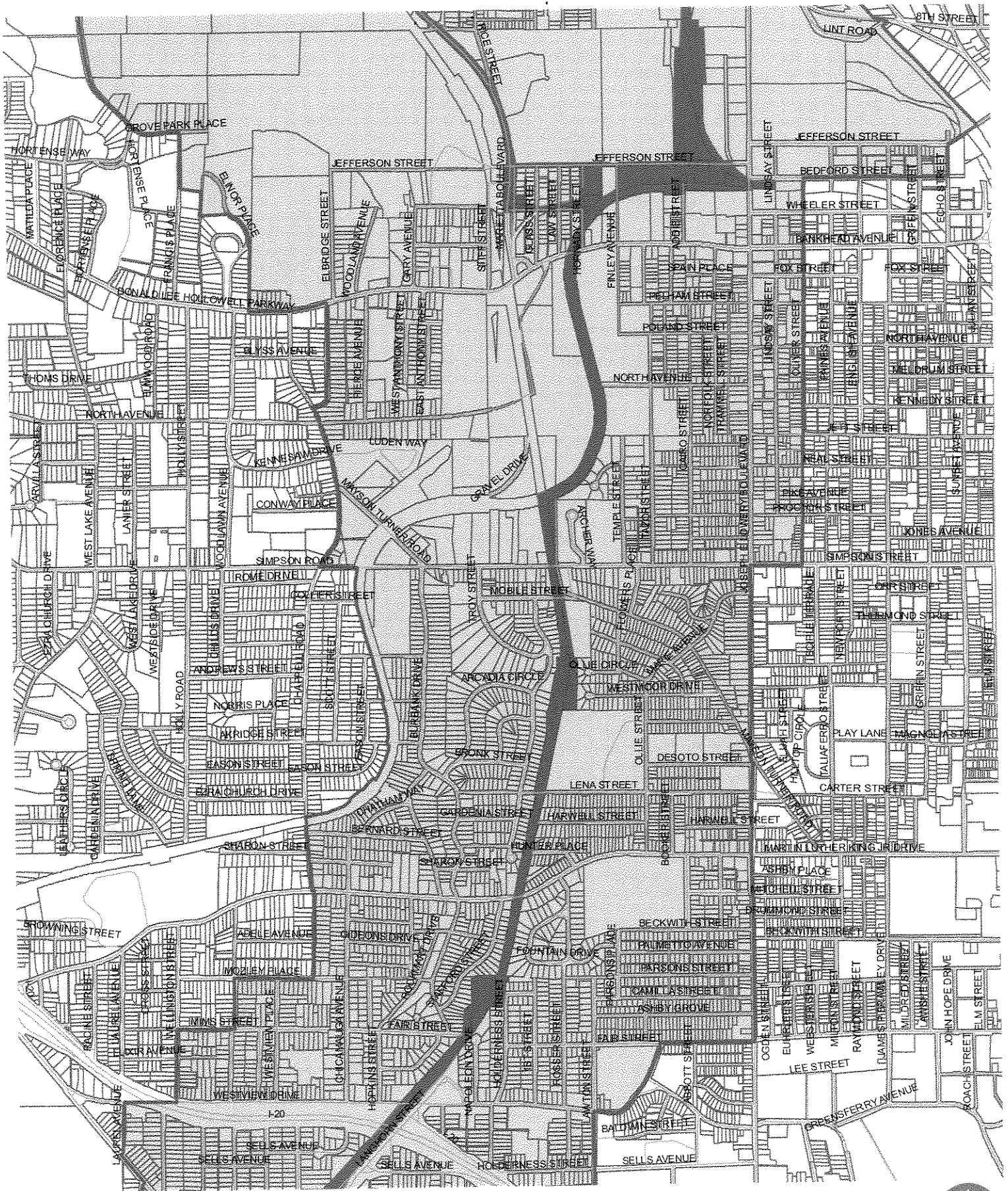
MAP 6 : Beltline Overlay District Boundaries

CITY OF ATLANTA : DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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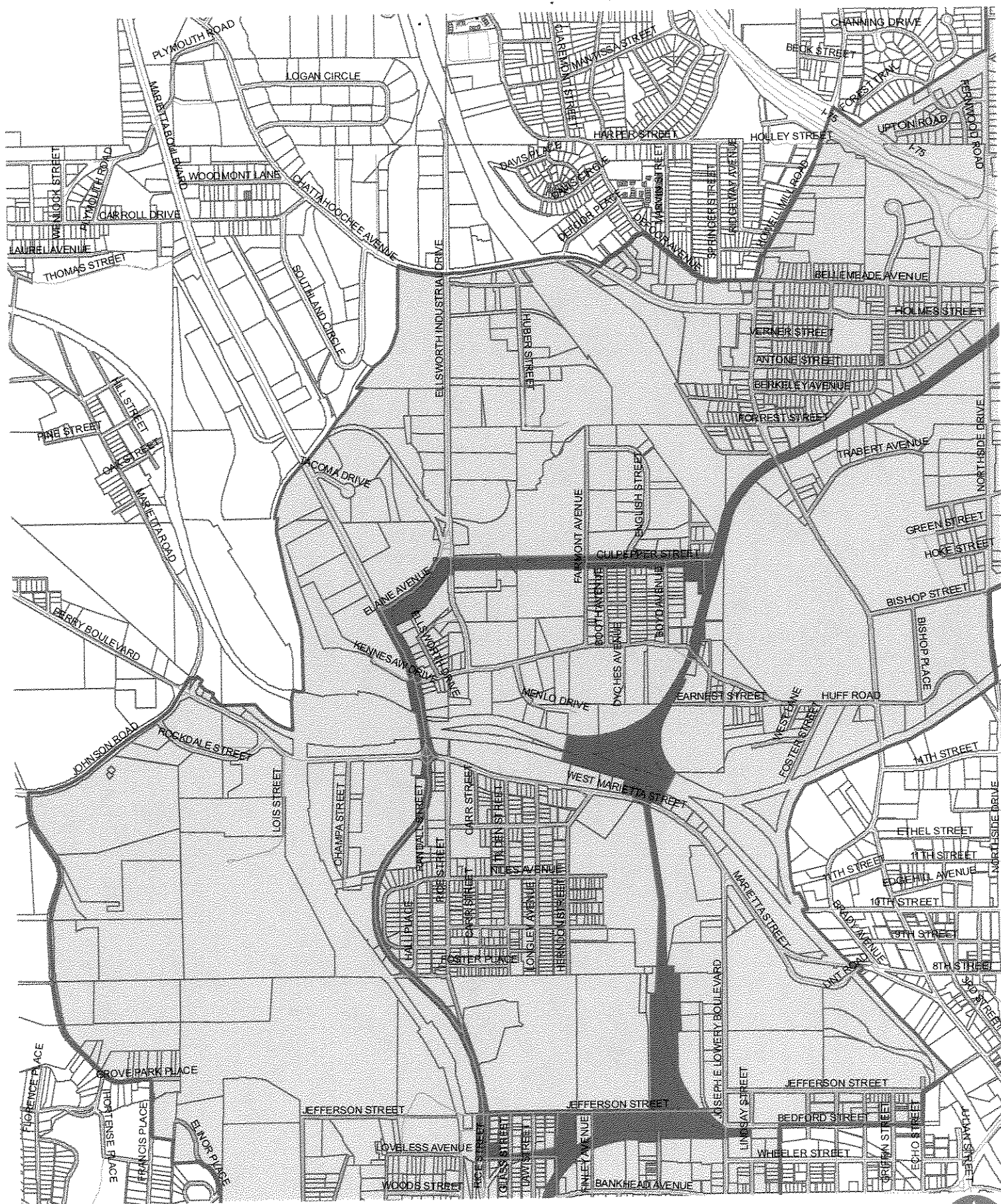
MAP 7 : Beltline Overlay District Boundaries

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MAP 8 : Beltline Overlay District Boundaries

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